

To Bob and Jessica Truehaft via Jim White

5/24/87

Odd that Jessica's piece on the National Lawyers Guild in today's Wx Post comes when I've thought of you both this past week, as I explain before getting to what I write about, triggered by Jessica's piece.

After more than a decade of trying I've gotten the FBI to disclose records from a file classification it has steadfastly refused to disgorge, 94. The official title is "Research Matters" but the actuality is that this is the FBI's memory hole for its rough equivalent of the Japanese thought-control police with regard to the press. Also for lobbying, propaganda, the directors' correspondence. I learned of its existence only by the accident of cross-reference filing notation and, belatedly, began to set up my own 94 files of copies. They've never disclosed from the 94s on the ground that "research matters" are outside all requests.

I've wanted the FBI's CLICK records, which I knew existed and include a letter Hoover wrote CLICK praising my Rohm & Haas expose, for archival purposes: I was an effective anti-Nazi during the shibboleth period of the Nazi-Soviet pact.

Bob was with me during the House patents committee hearing that was supposed to do me in, which is why this week's correspondence with the FBI reminded me of him, and in thinking about that I remembered that at the Cliff Durr memorial in Washington Jessica asked me about getting the FBI's records on her. So, if she is still interested and did not get them on earlier request, she should ask for all records on or about her filed that way and all cross references, which the FBI refers to as its "see" cards.

The FBI has come up with the copy of my Rohm & Haas story but is still reluctant to acknowledge even the faint praise of its founding father of an "enemy." It has at least 30+ cross references I'm trying to get and if any of them mention Bob I'll send copies. They may because the chairman of that committee and the late Hugh Scott, then a Congressman, were involved in what amounted to pro-Nazi activity in leaking the suppressed transcript of my testimony to R & H, which promptly misused it. Didn't do them much good because before long it was vested as enemy property. Didn't hurt Scott's later career in the Senate and as a GOP bigshot.

When I drove to Washington for the memorial to Cliff was close to the last time I was able to drive there. I'm limited to about 15-20 minutes of driving at a time as the result of complications following successful arterial surgery. And if ^{any} ~~they~~ are still in the Washington area, I'd like very much to get one of the unafraid guild lawyers to take over a lawsuit in which, with some optimism, I think I've got the FBI backed into a corner by charging and proving felonies to get a money judgement against me in an FOIA suit in which I wound up as my own lawyer because it created a conflict ^{with} ~~between~~ my then lawyer and still friend, not an NLG type. There is no doubt

about the facts. I've got them nailed solidly, with their own records, withheld from me but disclosed, under judicial compulsion, to a friend. These records leave it without question (and entirely undenied in the litigation) that to get this money judgement ~~the~~ FBI perpetrated fraud and perjury and ^{under Felt} its counsel misrepresented.

To stonewall, the FBI, then for the first time, demanded "discovery" from me. My noncompliance was based on a series of reasons, all stated and ~~un~~unrefuted, ranging from the physical impossibility for me of what was demanded to the fact that I had already provided all that information for other reasons, two file drawers of it. We were before a fink district court judge, who ignored all I filed and when I sent word to the FBI that it didn't have the balls to charge me with contempt, which it threatened, it didn't and it instead moved for and got a duplicating money judgement (alleged costs) from my then lawyer. His offense was trying to talk me into some degree of pro forma compliance, which I refused. So, it had a money judgement against a lawyer only because his client refused to take his advice. (Nobody in the bar got at all interested!) Under my pressure my lawyer went to the Nader law group. It agreed to represent him and because of this conflict sent him to the ACLU for it to rep me. Mark Lynch did, with some timidity if not fear. He promised to use this new evidence and allegations of felonies on remand and didn't and got himself recused. Thus I represent myself. I'm not afraid of the FBI or DJ and I have no lawyer's ticket that can be lifted so I've made the record.

I knew, of course, that this fink judge would find against me but I had no idea he'd provide such beautiful touches after more than a decade of litigation. His Memorandum shows that he doesn't know who is being sued or what is being sued for. He has both quite wrong in it.

The FBI/DJ could not lay a finger on my appeals brief so, instead of depending, as usual, more usual since the Reaganization of the DC appeals court, on the friendly judges it has gotten they instead filed for summary affirmance. This got the case out of the well-greased channels of the past and involved the court's own counsel and with that the integrity of the court's counsel and the court. I've succeeded in limiting the case to my undenied allegations of these felonies, which are still undenied, and how can the court's counsel dare ignore the uncontested evidence and charges? It is about six months since I filed my Opposition and I've heard nothing from the court, which has been on a rush-the-cases binge, or the government. It hasn't even filed the Reply it could have filed.

Maybe they are waiting for me to die and maybe they will yet do something. Now if I had unafraid counsel I could push it. And I'd like such counsel for oral argument, if and when that is rescheduled. (It had been scheduled for last year.) I am not only in a position to push the felonies, I am in a position to demand costs under Rule 11.

In recent years they've been misusing Rule 11 against FOIA requesters and their lawyers but I'm not aware of anyone using this Rule against them. While there are always doubts about courts, in this case there is no doubt about the facts.

But I can't get to Washington and I can't afford all the toll charges it would require to try to locate someone not afraid. My only income is Social Security. (The judgement would take about three months of that.) It would have to be someone not afraid because these people fight dirty and always seek vengeance.

We are about an hour from most parts of Washington. The only public transportation is Greyhound and I've not been able to use it since 1977. But if a lawyer could be interested, if he or she can't get here I can get someone to drive me there.

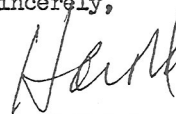
What might well discourage a lawyer is the size of the case record. What I've filed pro se is a fair amount. I think that is all a lawyer would need. For this period the government's filings are almost ~~ix~~ zilch. If I am correct, that what I filed pro se is all a lawyer would need, maybe 200 pages, double-spaced, before both courts.

I do believe that this is a rare opportunity to do something about these bad people who have been hurting so many innocent people for so many years and a chance to discourage further such efforts by them.

I remember the pleasant lunch we had in that pleasant hotel dining room about 20 years ago but not who was with me. There is a story about whichever it was that might interest you. If it was the reporter Harv Morgan who had a talk show on KCBS, the guy who tried to redbait me as a caller-in was, I've now established, an FBI symbol informer. He helped sell all the copies of my books in SF then and gave me a standing-room only audience the next night. If it was Hal Verb, he is now writing a book about E. Haldeman, Julius and his Little Blue Books, not a bad idea.

Best wishes and thanks if you can make any suggestions.

Sincerely,



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